MINUTES of a Regular meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 22nd day of December, 2008 at 7:00 P.M. in the Council Chamber of the Municipal Government Center, Secaucus, N.J.

Present: Mayor Dennis Elwell

Councilmembers: John Bueckner

Richard Kane
Michael Gonnelli
Gary Jeffas
John Shinnick
John Reilly

Pledge of Allegiance

The following statement was read by Town Clerk Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on January 4, 2008."

This body wishes to advise you that in accordance with N.J.A.C. 5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

In the event of a fire or other emergency, please note that there are two exits in the rear of the Council Chamber which may be used."

Mayor Elwell announced that Town Attorney, Frank Leanza would not be in attendance as his father passed away today. Frank Covello is sitting in for Mr. Leanza. He also stated that during the Caucus Meeting, issues regarding Councilman Gonnelli and his office was discussed. He said that Councilman Gonnelli will speak about the status of the issue.

Councilman Gonnelli thanked all in attendance as there were many firefighters in the attendance. He stated that the law firm of Chasan, Leyner and Lamparello were there to discuss the possible conflict of his position of becoming fire chief and Councilman simultaneously. He gave details as to the possible solutions. He explained that On January 1, 20069, William Sallick will be sworn in as Battalion Chief and George Schoenrock as Acting Chief until the ordinance is amended to allow him to become chief.

Mayor Elwell stated that Mr. Lamparello looked at the proposal and thought that it had merit, but it has to be confirmed that it would be done lawfully. He said that hopefully it can be worked out and they will wait for Mr. Lamparello as well as Mr. Leanza's with Councilman Jeffas to work on any conflicts.

Councilman Gonnelli stated that the office of a paid fire director would be eliminated. He said that he is hopeful that an agreement can be reached.

The first item on the agenda is as follows:

The following ordinance was read for public hearing: No. 2008-32

AN ORDINANCE TO AUTHORIZE IMPROVEMENTS TO VARIOUS STREETS AND THE NECESSARY FUNDS TO PAY THE COST THEREOF:

BE IT ORDAINED, the Town Council of the Town of Secaucus, in the County of Hudson, New Jersey, as follows:

SECTION 1. Various improvements to various streets are hereby authorized.

SECTION 2. There is hereby appropriated \$335,000.00 of funds available from the following source:

STATE OF NEW JERSEY TRANSPORTATION TRUST FUND FOR 2009 \$335,000.00

SECTION 3. The funds hereby appropriated are authorized to be expended by the proper officers for the purpose of hereby authorized when obligations to expend said funds have been created in form and manner as permitted by law.

SECTION 4. This ordinance shall take effect upon passage and publication in accordance with the law applicable thereto.

Mayor Elwell asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Kane moved that the public hearing be closed, seconded by Councilman Shinnick.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None Motion carried.

Councilman Kane moved that the foregoing ordinance be finally adopted, seconded by Councilman Gonnelli.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None Motion carried.

CONSENT AGENDA-RESOLUTIONS

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read: No. 2008-167

TOWN OF SECAUCUS, COUNTY OF HUDSON RESOLUTION

BE IT RESOLVED, BY THE MAYOR AND COUNCIL of the Town of Secaucus that the following temporary appropriations be made for the payroll period week ending January 9, 2009 and termination upon adoption of the Local Municipal Budget for the year 2009.

800.00

GENERAL GOVERNMENT

Salaries & Wages

Administrative and Executive Salaries & Wages	9,000.00
Town Clerk's Office Salaries & Wages	5,950.00
Office of the Mayor Salaries & Wages	10,250.00
Treasurer's Office Salaries & Wages	16,500.00
Assessment of taxes: Salaries & Wages	5,500.00
Collection of Taxes: Salaries & Wages	5,500.00
Legal Services & Costs: Salaries & Wages	2,500.00
Public Buildings & Grounds: Salaries & Wages	30,000.00
Planning Board: Salaries & Wages	800.00
Board of Adjustments:	

800.00

Municipal Court: Salaries & Wages 12,300.00 Public Defender: Salaries & Wages 1,000.00 **Engineering Services & Costs;**

PUBLIC SAFETY

Salaries & Wages

Police Salaries & Wages 270,000.00

Communications & Security:

Salaries & Wages

3,600.00

School Crossing Guards:

Salaries & Wages 9,000.00

Emergency Management Services:

Salaries & Wages 1,000.00

Fire Inspector:

Salaries & Wages 4,500.00

STREETS AND ROADS

Road Repair & Maintenance:

105,000.00 Salaries & Wages

Sewer System:

1,000.00 Salaries & Wages

Solid Waste Management Recyclcing:

Salaries & Wages 15,800.00

HEALTH & WELFARE

Department of Social Services:

Salaries & Wages 9,500.00

Board of health:

Salaries & Wages 1,000.00

Community Shuttle Bus:

Salaries & Wages 3,800.00

RECREATION & EDUCATION

Parks and Playgrounds

Salaries & Wages 1,500.00

Supervision of Playground Activities:

Salaries & Wages 43,000.00

Recreation Activities:

Salaries & Wages 6,500.00

STATE UNIFORM CONSTRUCTION:

Construction Official:

Salaries & Wages 13,000.00

Office of Inspections:

5,500.00 Salaries & Wages

594,600.00 Total

The following resolution was read: No. 2008-168

> RESOLUTION RE-PETITIONING THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING FOR SUBSTANTIVE CERTIFICATION OF AN ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Planning Board of the Town of Secaucus, State of New Jersey, adopted a revised Third Round Housing Element and Fair Share Plan on December 16, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the amended Housing Element and Fair Share Plan is attached pursuant to *N.J.A.C.* 5:96-2.2(a)2; and

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Secaucus, County of Hudson, State of New Jersey, hereby endorses the revised Third Round Housing Element and Fair Share Plan as adopted by the Town of Secaucus Planning Board; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Secaucus, pursuant to the provisions of *N.J.S.A.* 52:27D-301 *et seq.* and *N.J.A.C.* 5:96-3.4, submits this re-petition for substantive certification of the amended Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan, including the names and addresses of any objectors, has been included with the re-petition; and

BE IT FURTHER RESOLVED that notice of this re-petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to *N.J.A.C.* 5:96-3.5 within seven days of issuance of the notification letter from the Executive Director of the Council on Affordable Housing indicating that the submission is complete and that a copy of this resolution, the adopted amended Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Office of the Town Clerk, Town of Secaucus located at the Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, New Jersey, during the hours of 8:30 a.m. through 4:30 p.m. Monday through Friday, excluding legal holidays, for a period of 45 days following the date of publication of the legal notice pursuant to *N.J.A.C.* 5:95-3.6.

The following resolution was read:

No. 2008-169

RESOLUTION OF THE SECAUCUS TOWN COUNCIL OF AN INTENT TO BOND IN THE EVENT OF AN AFFORDABLE HOUSING FUNDING SHORTFALL

WHEREAS, the Town of Secaucus, Hudson County, has re-petitioned the New Jersey Council on Affordable Housing (COAH) for substantive certification of its adopted and revised Third Round Housing Element and Fair Share Plan; and

WHEREAS, COAH has determined that Secaucus Town may be required to allocate funds for the 100% affordable housing projects identified in said plan; and

WHEREAS, the Town of Secaucus anticipates that funding will come from the following sources to satisfy said obligation: sources including, but not limited to, the Town's affordable housing trust fund – development fees and in-lieu payments; and governmental sources such as the Federal Low Income Housing Tax Credits, New Jersey Balanced Housing funds, HUD funding, Federal Home Loan Bank Board financing, New Jersey Meadowlands Commission, HMFA bond financing, Hudson County Home funds, etc.; and

WHEREAS, in the event that the above funding sources prove inadequate to meet the Town's funding obligation, the Town Council shall provide sufficient funding to address any shortfalls.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Secaucus, Hudson County, State of New Jersey, that the Town Council does hereby agree to fund any shortfalls in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded by bonding if there are no other available funding resources.

The following resolution was read:

No. 2008-170

TOWN OF SECAUCUS, COUNTY OF HUDSON **RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the Chief Financial Officer ne and is hereby authorized to make the following transfers in accordance with N.J.S.A. 40a:4-58, two thirds of the full membership of the Town Council concurring:

GENERAL

<u>From</u> To

Office of Inspections **Construction Official**

Salaries & Wages 5,000.00 Salaries & Wages 5,000.00

Recreation Activities

Recreations Activities Salaries & Wages 3,500.00 Salaries & Wages 3,500.00

Electricity-All Depts Telephone-All Depts. 20,000.00 20,000.00

Recycling Other Expenses 10,000.00

Garbage-Miscellaneous 5,000.00

Parks & Playgrounds Other Expenses 15,000.00

Gasoline-All Depts

10,000.00 **Legal Expenses** 40,000.00

The following resolution was read: No. 2008-171

TOWN OF SECAUCUS, COUNTY OF HUDSON **RESOLUTION**

WHEREAS, the Town of Secaucus, County of Hudson, State of NJ entered into a contract with Weiner Lesniak LLP for the year 2008 in the amount of \$250,000.00 for Special Counsel Affordable Housing Legal Services:

WHEREAS, there is a need to amend the contract for an additional \$100,000.00.

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to approve additional funds of \$100,000.00 for said contract.

> Financial officers Certification attached.

The following resolution was read: No. 2008-172

TOWN OF SECAUCUS, COUNTY OF HUDSON **RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey as follows:

The annual salaries for nonunion administrative employees effective January 1, 2009 are as follows:

	2009
Sr. Administrative Assistant, Carole Barna	51,022.00
Sr. Administrative Assistant, Trina Zloty	46,055.00
Executive Assistant, Regina Bator Executive Assistant, Insurance Coord., Roxanne Paciga	40,500.00 47,158.00
Principle Payroll Clerk, Lorraine Carr	39,635.00
Dir. Of Comm/Sr. Activities Lisa Snedeker	46,710.00
Town Attorney, Frank Leanza	67,297.00
Chief Financial Officer, Margaret Barkala	100,759.00
Fiscal Analyst/Office Supv, Anna Territola	45,972.00
F/T Police Dispatcher, Diane Kilroy	45,123.00
F/T Police Dispatcher, Doreen Bouille	41,343.00
F/T Police Dispatcher, Debbie De Felice	37,445.00
F/T Police Dispatcher, Marie Miele F/T Police Dispatcher, Thomas Meicke	36,694.00 36,282.00
Fiscal Officer, Recreations Dept. Barbara Baer	34,846.00
Day Care Head Counselor, Lori Kowalewski	22,629.00
Day Care Counselor, Linda Kitrys	20,143.00
Asst. Counselor, Lacey Rozansky	22,629.00
Asst. Counselor, Kelly Gasser	22,629.00
P/T Food Pantry Coord/Handicap Pking Invest Chas Gasse	-
Town Administrator, David Drumeler	123,906.00
Mayor's Secretary, Madelon Michaels Fire Official ,Prop. Maint. Officer, Vinchet Massaro	48,256.00 46,894.00
P/T Prop. Maint. Inspect, Robert Zych	18,180.00
P/T Construction Official, Russell Hannigan	18,180.00
P/T Construction Inspector, Alan Kashian, Jr.	16,824.00
P/T Electrical inspector, Jorge Gonzalez	18,180.00
P/T Plumbing Inspector, Vincent Prieto	18,180.00
P/T Sanitary Inspector, Vincnet Rivelli	18,180.00
P/T Fire Inspector, William Wortman	18,180.00
P/T Fire Inspector, Carl Leppin	16,824.00
P/T Fire Inspector, William Bergner P/T Fire Sub Code Inspector, Thomas Tornmey	16,824.00 18,180.00
P/T Bldg. Sub Code Inspector, Manuel Fernandez	18,180.00
P/T Electrical Safety Sub-Code Official, Nicholas Loro	•
P/T Asst. Communications Director, Richard Damato	16,824.00
P/T Recycling, Robert Cordes	15, 152.00
OEM/Operations Officer, Vincent Massaro, Sr.	16,824.00
Town Clerk & Town Searcher, Michael Marra	52,926.00
P/T Tax Assessor, Michael Jaeger	36,369.00
P/T Asst. Tax Assessor, Chris Eilert	5,387.00
Deputy Tax Assessor, Edward Guinta Parking Enforcement Officer, Norma Rodriguez	30,300.00 29,200.00
Municipal Court Judge, Kathleen Walrod	49,574.00
Public Defender, Peter Weiner	67,232.00
Plumber, Jack Sallustio	75,421.00
P/T Engineer, Gerald Perricone	9,697.00
P/T DPW Superintendent, Glenn Beckmeyer	16,162.00
Full Time Medical Escort Driver, George, P. Miller	27,976.00
Medical Escort Hourly Rate	13.00-15.17
P/T Bus Driver Hourly Rate	12.50-19.28 26.86-31.33
P/T Carpenter hourly Rate, John Esposito P/T Police Dispatcher Hourly Rate	12.94-21.55
P/T Park patrol Attendants Hourly Rate	10.74-13.20
P/T Parking Enforcement Officers Hourly Rate	13.22-15.41
P/T Quality of Life4 Inspector Hrly Rate	16.00-20.76
P/T Record Room Clerk Hourly Rate	14.89-17.38
School Crossing Guards Daily Rate (Eff. 9/1/09)	63.17-73.69
Court Officer Session Rate	74.66-87.09
P/T Aftercare Counselors	7.15-17.95
P/T Day Care Counselors P/T Day Care Aides	8.00-11.31 8.00-11.31
P/T Lunches/Kitchen Hrs. Rate	10.50-11.31
P/T Housekeeper Hrly. Rate	10.00-10.38
P/T Administrative Clerk	10.00-17.38

Section 2. All salaries, wages and other compensation as are in the ordinance shall be effective January 1, 2009.

Councilman Shinnick moved to approve the resolutions on the Consent Agenda, seconded by Councilman Kane.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None Motion carried.

The following motion was made:

Councilman Reilly motioned to approve the ceremonial changing of the name of MSNBC Way to Major League Baseball Network Way, seconded by Councilman Jeffas.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS:

Motion carried. **ABSENT: None**

PAYMENT OF CLAIMS

Councilman Kane moved that the following Salary Vouchers and Claims Fund Register be approved, seconded by Councilman Reilly. Town of Secaucus Payroll Acct. w/ending 12/12/08 419,879.93 Adm. & Exec 10,715.95

Mayor & Council 10,550.25 Municipal Clerk 6,587.30 Legal Dept. 2,493.58 Treasurer 18,100.33 Tax Assessor 5,803.86 Tax Collector 5,652.93 Municipal Court 14,396.44 778.50 Engineering **Community Shuttle Bus** 2,872.18 Eyeglasses 250.00 33,667.82 Pub. Bldgs. & Grds. Off. Of Inspect. 5,605.70 **Planning Board** 541.66 Bd. Of Adjustments 541.66 **Public Defender** 600.00 3,411.62 Comm. & Security Adm. Fire Department 000.00 288,679.03 Police Dept. Construction 10,884.23 School Cross Grds. 8,730.90 Office of Emergency Man. 623.40 Unif. Fire Safety Off. 4,679.14 112,008.64 Rd. Repair & Maint. Sewer System 507.04 Recycling Coord. 13,572.37 Bd.of Health 2,628.62 Mosquito Control 000.00 Social Services 10,242.40 Pks. & Play Grds. 1,175.41 Supv. Of Play Act. 33,498.88 Rec. Activities 9,0001.38 Pool Oper. 000.00 CDBG 639.35 Town of Secaucus Tax Escrow Acct. w/ending 12/12/08

199,560.64 Town of Secaucus Payroll Acct. w/ending 12/26/08 358, 193.28

Adm. & Exec 8,473.46 Mayor & Council 1,786.35 5,499.02 Municipal Clerk 2,493.58 Legal Dept. **Treasurer** 16,115.79 Tax Assessor 5,359.00 Tax Collector 5,223.44 Municipal Court 12,519.70 **Engineering** 000.00 **Community Shuttle Bus** 3,209.21 Pub. Bldgs. & Grds. 29,497.14 Off. Of Inspect. 5,102.42 **Planning Board** 100.00 **Bd. Of Adjustments** 000.00 **Public Defender** 1,200.00 Comm. & Security Adm. 3,411.62 Fire Department 000.00 Police Dept. 258,471.26 Construction 9,452.02 School Cross Grds. 11,075.49 Office of Emergency Man. 623.40 Unif. Fire Safety Off. 4,331.62

Rd. Repair & Maint.	98,144.47
Sewer System	515.03
Recycling Coord.	9,781.10
Bd.of Health	673.62
Mosquito Control	000.00
Social Services	10,158.29
Pks. & Play Grds.	832.00
Supv. Of Play Act.	26,680.12
Rec. Activities	8,115.62
Pool Oper.	000.00
CDBG	639.35

Town of Secaucus Payroll Acct. w/ending 12/26/08 \$ 186,956.51

Total Amount Claims Check No. 25073-25281 \$1,105,350.71

Recreation Acct. Check No. 1891-1892 \$149,809.66

Current Account Check No. 1643-1652 \$1,509,809.66

Trust Account Check No. 1142-1143 \$75,699.02

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell
NAYS: Bueckner on Strategic Message Management, Dependable Power
Sweeping and Thomas Calvanico, Gonnelli on Strategic Message
Management, Dependable Power Sweeping and Tom Calvanico, Jeffas on
Strategic Message management, Dependable Power Sweeping and Tom
Calvanico.

ABSTAIN: Gonnelli on Secaucus Fire and Johnson & Johnson, Reilly on

Jersey City Medical Center.

ABSENT: None Motion carried.

BINGO/RAFFLE APPLICATIONS

Councilman Kane moved that the following application for Raffle/Bingo License be approved, seconded by Councilman Jeffas.

R-1070 SAAGNY FOUNDATION, INC. ON PREMISE 50/50

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None Motion carried.

REPORTS AND CORRESPONDENCE FILE

COMMITTEE REPORTS

Councilman Jeffas reported that during his last report he noted that Toys r Us gave \$5000 to the Secaucus Fire Department and stated that it did go into the general fund for fire, education and prevention. He also reported that the televised committee issues were discussed at the Caucus meeting and agreed that the issue will be at the top of the agenda for the first meeting in January. He stated that the RFQ should be prepared to go out.

Councilman Gonnelli asked for a report from the Shade Tree Committee on the number of trees that were planted refused or changed.

Mayor Elwell said that there were some changes but felt that things are in order. He said he does not have the final numbers yet.

Councilman Kane thanked all involved in getting the Recreation Center up and running. He reported that all involved are pleased with the facility.

Mayor Elwell thanked Harrison School Board for allowing the swim team to use their facility while the Town's pool was getting done.

Councilman Reilly stated there are two shopping days until to Christmas and asked that residents be careful while out shopping.

UNFINISHED BUSINESS

Councilman gonnelli asked for updates on a shopping center.

Mayor Elwell stated that there was a report from Hartz Mtn. stating that the Super Walmart will be completed in approximately 15 months.

Councilman Gonnelli asked about the old Stop and Shop building.

Mayor Elwell stated that when some of the other companies found out that there will be a Super Walmart, they lost declined. He also mentioned the Linen and Things facility and found out that the building would not accommodate the square footage needs of a supermarket. He said that Hartz does not own the building and the building is in Chapter 11 so it is going to take a long time to solve that problem.

Councilman Gonnelli asked about the fence at the Farm Road tide gate.

Mayor Elwell said that he would check in to it as well as flooding in that area

Councilman Gonnelli asked again about the stop sign at the Masonic temple.

Mayor Elwell said he would work on that tomorrow.

Councilman Gonnelli asked about the lights at the Mill Creek Trail. He also spoke about poles that need to placed in certain locations.

Town Administrator, David Drumeler said that if there is an improvement in the weather, they will be taken care of.

Councilman Gonnelli asked about the depression on Fairview Avenue.

Mayor Elwell said that it was sent to United Water and felt that the weather was holding things up.

Councilman Gonnelli asked about the transit lot at Seaview Drive.

Mr. Drumeler stated that the Town has been doing enforcement there. He stated that he asked Hartz if they have an overflow lot that could be used and said that they are reviewing the situation.

Councilman Gonnelli stated that Mr. Maffei has been asking for a report on the Recreation Center, he asked for a full financial report.

Mayor Elwell said that Town is putting together a booklet that will include photos as well as the financial report from Chief Financial Officer, Margaret Barkala.

Councilman Gonnelli noted for the public that the governing body does not know the full cost.

Mayor Elwell said the Town has bonded enough money. He said that it may be under what was bonded for.

Councilman Jeffas asked Mr. Drumeler about the light on Golden Avenue.

Mr. Drumeler stated that the Town can put a light there and Mr. Perricone is going to finalize the details.

Councilman Jeffas asked about timing.

Mr. Drumeler did not have a date and stated that he would find out and get back to him.

Councilman Jeffas asked about lights on the Route 3 Service Road and in checking with PSEG was told that it is NJDOT. He asked who the contact is.

Mayor Elwell stated that he received the same call and it was sent to Assemblyman Prieto who is on the transportation committee. He also noted that in 2009. It DOT's plan to do the Service Roads over on Route 3 completely.

NEW BUSINESS

Mayor Elwell gave a report on the recent storm.

Mayor Elwell stated that Pat Presa is resigning from the Library Board and will be replaced by Fred Schaffer of 110 Osprey Court. He stated that there will be other appointments that will need to be coordinated at the start of the new year.

REMARKS OF CITIZENS

George Schoenrock Robert Morris Charles Voorhees Larry Marciano Patrick Maxwell John Scheiner Peter Weiner Thomas Troyer Frank Scardigno Sam Maffei Mary Ann Weiner

Councilman Gonnelli moved to adjourn the meeting at 8:10 pm, seconded by Councilman Kane.

AYES: Bueckner, Kane, Gonnelli, Jeffas, Shinnick, Reilly, Elwell

NAYS: None

ABSENT: None Motion carried.

Michael Marra, Town Clerk